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Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re: Chapter 11

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

<u>et</u> <u>al</u>.,

- - - - - - - - x

Debtors. : Jointly Administered

# SECOND SUPPLEMENTAL ORDER ON DEBTORS' TWENTY-SEVENTH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN TAX CLAIMS FOR NO TAX LIABILITY)

THIS MATTER having come before the Court on the Debtors' Twenty-Seventh Omnibus Objection to Claims (Disallowance of Certain Tax Claims for No Tax Liability) (the "Objection"), and it appearing that due and proper notice and service of the Objection was given in compliance with Fed. R. Bankr. P. 3007 and 7004 and LBR 3007-1 and was good and sufficient and that no other further notice or service of the Objection need be given; and it appearing that certain parties filed responses to the Objection; and it appearing that this Court entered an Order on Debtors'

Twenty-Seventh Omnibus Objection To Claims (Docket No. 4807)

(the "Initial Order"); and it further appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

## IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. The Objection to the claims identified on Exhibit A as attached hereto and incorporated herein is withdrawn;

  provided, however, that the Debtors' rights and abilities to object to the claim identified on Exhibit A on any grounds and bases are hereby preserved in their entirety.
- 2. The Debtors' rights to object to any claim, including (without limitation) the claims on <a href="Exhibit A">Exhibit A</a> on any grounds that the applicable law permits are not waived and are expressly reserved.

Case 08-35653-KRH Doc 6685 Filed 03/03/10 Entered 03/04/10 00:55:05 Desc Imaged Certificate of Service Page 3 of 6

- 3. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.
- 4. To the extent this Order conflicts with the Initial Order, this Order shall control.
- 5. The Debtors shall serve a copy of this Order on the claimants included on <a href="Exhibit A">Exhibit A</a> to this Order on or before five (5) business days from the entry of this Order.

Dated: Richmond, Virginia
Mar 1 2010 \_\_\_\_, 2010

/s/ Kevin Huennekens

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Mar 1 2010

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606-1720 (312) 407-0700

- and -

Counsel to the Debtors and Debtors in Possession

#### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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Case 08-35653-KRH Doc 6685 Filed 03/03/10 In re: Circuit City Stores, Inc, elanaged Certificate of Service Case No. 08-35653-KRH

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Page Boof Byenty-Seventh Omnibus Objection to Claims
Supplemental Order - (Reduction Of Certain Personal
Property Tax Claims) - Withdrawn

## **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
CALIFORNIA SELF INSURERS SECURITY FUND LOUIS J CISZ ESQ AND GINA FORNARIO ESQ NIXON PEABODY LLP ONE EMBARCADERO CENTER 18TH FL	11811	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	UNL	03/06/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
SAN FRANCISCO, CA 94111		Total:	UNL		
CALIFORNIA SELF INSURERS SECURITY FUND LOUISE J CISZ ESQ GINA FORNARIO ESQ NIXON PEABODY LLP ONE EMBARCADERO CTR 18TH FL SAN FRANCISCO, CA 94111	11721	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	UNL UNL	03/06/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	UNL		
CATAWBA COUNTY TAX COLLECTOR NEWTON, NC 28658	7638	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$6,446.18	01/22/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$6,446.18		
JACKSON COUNTY PO BOX 1569 DEPT OF TAXATION MEDFORD, OR 97501	3688	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$4,712.33	01/13/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
		Total:	\$4,712.33		
SHASTA COUNTY TAX COLLECTOR PO BOX 99 1830 REDDING, CA 96099-1830	13381	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$5,160.82	06/15/2009	CIRCUIT CITY STORES, INC. (08-35653)
		Total:	\$5,160.82		

Total: 5 \$16,319.33

<sup>\* &</sup>quot;UNL" denotes an unliquidated claim.

# Case 08-35653-KRH Doc 6685 Filed 03/03/10 Entered 03/04/10 00:55:05 Desc CERTIFICATE OF SOLUTION OF THE CONTROL OF THE CONTR

District/off: 0422-7 Case: 08-35653

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Page 1 of 1 Total Noticed: 1 Date Rcvd: Mar 01, 2010

The following entities were noticed by first class mail on Mar 03, 2010.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq.,

Wilmington, DE 19899-0636 PO Box 636,

The following entities were noticed by electronic transmission.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0 NONE.

Addresses marked  $^{\prime +\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2010

Joseph Speetjins